

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 12-1-03

253-

AGENDA SECTION:

PUBLIC HEARINGS

ORIGINATING DEPT:

PLANNING

ITEM NO.

E-12

ITEM DESCRIPTION: Text Amendment #03-08 Initiated by the Rochester Planning and Zoning Commission, to modify zoning district descriptions for clarification.

PREPARED BY:
Mitzi A. Baker,
Senior Planner

November 19, 2003

City Planning and Zoning Commission Recommendation:

On November 12, 2003 the City Planning and Zoning Commission held a public hearing to review the proposed zoning text amendment.

The Planning & Zoning Commission found that the proposed amendment meets the criteria outlined in Paragraph 60.338 (2) of the Land Development Manual and recommended approval of the proposed amendment. The commission recommended approval of this text amendment 7-0.

Planning Staff Recommendation:

See attached revised staff report dated November 19, 2003. The report was revised from the Planning Commission report to correct a typographical error.

Council Action Needed:

1. If the Council wishes to proceed with the amendment as proposed, it should instruct the City Attorney to prepare an ordinance that can be adopted. The Council's decision must be supported by findings based on the criteria listed in Paragraph 60.338 (2) of the Rochester Zoning Ordinance and Land Development Manual (see attached staff report).

Distribution:

1. City Clerk
2. City Administrator
3. City Attorney:
4. Planning Department File

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

254

ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744



COUNTY OF

Olmsted

www.olmstedcounty.com/planning



DATE: November 19, 2003 REVISED

TO: Rochester Planning and Zoning Commission

FROM: Mitzi A. Baker, Senior Planner

RE: Text Amendment #03-08 Initiated by the Rochester Planning and Zoning Commission, to modify zoning district descriptions for clarification

Text Amendment:

Section 60.323 of the LDM includes descriptions of each of the established zoning districts. The descriptions for the R-2 (Low Density Residential) and B-1 (Restricted Commercial) districts should be modified to clarify that these districts are intended not only to maintain developed areas but also to provide for new development in undeveloped areas. The following changes are proposed:

- 4) **R-2 Low Density Residential District:** This district is intended to maintain and promote areas developed with a mixture of residential dwelling types that are of an overall low density, or which are undergoing a conversion from predominantly single-family detached dwellings to low density multi-family use. Certain supportive non-residential use, and compatible infill development, consistent with the policies of the Land Use Plan, are provided for.
- 7) **B-1 Restricted Commercial District:** This district recognizes is intended to maintain and provide for areas of low intensity business uses that are located adjacent to residential areas, but along major thoroughfares so as not to encourage customer traffic through the adjacent residential areas.

FINDINGS & RECOMMENDATION:

A decision must be supported by finding based on the criteria listed in Paragraph 60.338 (2) of the Zoning Ordinance as follows (staff suggested findings follow each criteria):

- a) **whether there is a public need for the amendment;**
Staff suggests that there is a public need for this amendment to provide for clarification;
- b) **whether the amendment will accomplish one or more of the purposes of this ordinance, the Comprehensive Plan or other adopted plans or policies of the City of Rochester;**
The amendment will further the goals of providing for new areas of development;
- c) **whether adoption of the amendment will be lawful.**
The amendment will provide clarification, and this amendment will be lawful.

Staff recommends approval of this text amendment.

BUILDING CODE 507/285-8345 • GIS/ADDRESSING/MAPPING 507/285-8232 • HOUSING/HRA 507/285-8224

PLANNING/ZONING 507/285-8232 • WELL/SEPTIC 507/285-8345

FAX 507/287-2275



AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

255 -

measures along Ashland Place NW, access control, pedestrian facilities, extension of utilities, phasing of development, addressing ownership, maintenance and access to Outlot 'C', and contributions for public infrastructure.

General Development Plan(GDP) #219, to be known as Spring Brook Valley AND Zoning District Amendment #03-22. The applicant, COPAR Development, is proposing to re-zone 94.14 acres of land from R-1 (Mixed Single Family) to the R-2 (Low Density Residential) district, and to develop the land with low density residential dwellings at densities ranging from 9 units/acre to 12 units/acre. The GDP includes a total of approximately 112 acres of land and proposes to develop the eastern 17.16 acres as in the B-4 (General Commercial) district, with the western 94.14 acres developed in the R-2 (Low Density Residential) district. The Plan also identifies public and private roads, stormwater ponds, public parkland and accesses to the TH 63 Frontage Road. The property is located west of TH 63, south of TH 52 and Southtown Heights and north of 36th ST. SW.

Ms. Rivas moved to continue General Development Plan(GDP) #219, to be known as Spring Brook Valley AND Zoning District Amendment #03-22 to December 10, 2003. Mr. Quinn seconded the motion. The motion carried 8-0.

Text Amendment #03-08 initiated by the Rochester Planning & Zoning Commission. The amendment proposes to modify some of the zoning district descriptions in Section 60.321 of the Rochester Zoning Ordinance and Land Development Manual to provide for establishing zoning districts in undeveloped areas in addition to establishing them to maintain developed areas.

With no one wishing to be heard, Ms. Wiesner closed the public hearing.

Ms. Petersson moved to recommend approval of Text Amendment #03-08 initiated by the Rochester Planning & Zoning Commission as recommended by staff. Mr. Ohly seconded the motion. The motion carried 8-0.

OTHER BUSINESS:

1. Modification to Agenda's to Add a Consent Section

Mr. Staver stated that there would still be the ability to pull an item and discuss at more length.

The Commission agreed that they would like to modify their agenda to add a consent section.

2. January 12, 2003 Annual Meeting/Dinner

Ms. Baker stated that the Commission has funding for their January 12, 2004 Annual Meeting dinner at Michaels. However, the budget is unclear for 2005. She asked if the Commission if staff should proceed with having the January 12, 2004 Annual Meeting at Michaels Restaurant.

The Commission agreed to have their January 12, 2004 Annual Dinner at Michael's Restaurant.

22